



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

Established in 1952 as the Customs Co-operation Council
Créée en 1952 sous le nom de Conseil de coopération douanière

HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
27th Session
-

NR0359E1
(+ Annexes I to III)

O. Eng.

Brussels, 3 February 2003.

COMPREHENSIVE REVIEW OF THE EXPLANATORY NOTES

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTES

TO HEADINGS 85.01 TO 85.16

(Item C.5 on Agenda)

Reference documents :

NR0305E1 (RSC/26)
NR0306E1 (RSC/26)

NR0332E2 – Annex E/14 (RSC/26 - Report)
NR0332E2 – Annex E/15 (RSC/26 - Report)

I. BACKGROUND

1. At its 23rd Session (March 2001), the Review Sub-Committee discussed the issue of the comprehensive review of the HS Explanatory Notes, taking into account the points raised by the Secretariat in Doc. NR0150E1, in particular the scope of the updating of the existing Explanatory Notes, by :
 - deleting references to obsolete products and technology,
 - substituting references to current products and technology,
 - restructuring the Notes to make them easier to understand, and
 - supplementing the Notes to make them more complete.
2. In accordance with these discussions, amendments to the Explanatory Notes to headings 85.01 to 85.16 were prepared as a joint proposal by the Secretariat and an officer of the Australian Administration.

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3. At its 26th Session, the Review Sub-Committee carried out a preliminary examination of the proposed amendments and agreed to continue the discussion at its next session.

II. SECRETARIAT COMMENTS

4. The present document is a revised version of Doc. NR0305E1 and the relevant part of Doc. NR0306E1 prepared by the Secretariat for the 26th Session of the Review Sub-Committee.

5. With a view to facilitating the discussion, the Secretariat has set up three annexes to the present document :

- In Annex I the usual presentation of the proposed amendments and new texts is used (i.e., “delete and substitute” format).
- In Annex II a presentation involving strikethrough and underlining is used : the proposed deletions are indicated by “strikethrough” text, whereas new texts are indicated by underlining. Texts that were merely renumbered or relettered have not been included.
- In Annex III the comments on the suggested changes made by delegates at the Sub-Committees 26th Session are reproduced.

6. The **Australian** “Explanatory Memorandum” and the Secretariat’s own comments (in bold) are reproduced below.

Recommended amendments to the General Explanatory Note to Section XVI

7. The terms “analogue” and “digital” in the context of signal processing formats are commonly used terms in the fields of information or data processing, telecommunications, sound and video recording, etc. As the terms are commonly used throughout the ENs, it is recommended that the General Explanatory Note to Section XVI be amended by the inclusion of an explanation of the meaning of these terms.

8. The following text, relative to telecommunications, provides some guidance in developing such an amendment :

Essentially analogue signals move down telephone lines as electromagnetic waves. Their speed is expressed in frequency which refers to the number of times per second that a wave oscillates back and forth in a complete cycle. The frequency of these waves is stated in hertz (Hz). Conversely, instead of waves digital signals are transmitted in the form of binary bits, that is there are only two values for transmitted voice and data bits, on and off, or positive or negative voltages. Increasingly the poorer quality analogue signals are being replaced with the more reliable digital alternative. (Source : Annabel Z. Dodd, The Essential Guide to Telecommunications (NJ, Prentice Hall, 1998)).

Explanatory comments for each heading

Heading 85.01

9. No changes are recommended.
10. The advice from industry is that electric motors and generators are a very mature article with very little change over the last 50 years.

Headings 85.02 to 85.03

11. No changes are recommended.
12. The industry declined to comment on the articles of this heading and research showed that the HS 2002 ENs are sufficient.

Heading 85.04

13. "Ballasts..." were added to the third paragraph of (I), because ballasts are mentioned in subheading 8504.10.
14. In the same paragraph a reference to "baluns..." was included as baluns are a specific example of a type of transformer that would fall in the heading.
15. The amendment to the penultimate paragraph of (II) "supplies" was made on advice from industry that "supplies" is a more correct term. The addition of "uninterruptible", and the change from "machines of heading 84.71" to "a range of electronic equipment" was made because Classification Opinion 8504.40/1 relates to these stabilised supplies but refers to them as "uninterruptible power supply apparatus which supply a range of electronic equipment". The reference to "machines of heading 84.71" was deleted because, as the Classification Opinion states, these apparatus are used with a greater range of equipment than just ADP machines. The word "units" used in the 2002 Explanatory Notes was not amended because the Classification Opinion refers to apparatus forming a single unit.

Heading 85.05

16. The amendment to Item (3) was made to clarify that magnetic chucks, etc., used with machine-tools for holding work pieces fall in the heading. It corresponds with the exclusion at paragraph (e) of the 1996 ENs to heading 84.66.
17. **The Secretariat would draw the Review Sub-Committee's attention to the fact that there is a question currently before the Committee on the classification of an electrostatic chuck, as well as the distinction between work holders of headings 84.66 and 85.05.**

Heading 85.06

18. All of the amendments made, other than the exclusions after PARTS are to clarify or expand the description of primary cells and batteries. (Sources : McGraw-Hill Multimedia

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Encyclopaedia of Science & Technology, 2000; Encyclopaedia Britannica, 1999; Van Nostrand's Scientific Encyclopaedia, Eighth Edition, 1995).

19. Terminals have been added to the exclusions at the end of the ENs at (a) as a terminal for a battery, although a part, would be classified in heading 85.36 vide Section XVI Note 2(a), and as terminals are mentioned in the 1996 ENs to heading 85.36 at paragraph III (B).
20. Solar cells are also mentioned in the exclusions at new (b) mainly because a person attempting to classify such articles may consider heading 85.06 to be a viable option.

Heading 85.07

21. The term "secondary batteries" was added because the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000 and Van Nostrand's Scientific Encyclopaedia, Eighth Edition, 1995 mention the term as an alternative to "storage batteries".
22. In the opening paragraph of the ENs, a brief description of the defining characteristic of an accumulator was added because it provides a succinct opening sentence to the remainder of the current paragraph, which expands on the charging and discharging process.
23. The last sentence to the second paragraph was added to clarify that accumulators can be of the wet or dry cell type, as stated in Van Nostrand's Scientific Encyclopaedia, Eighth Edition, 1995.
24. Item (2) on the alkaline accumulators was amended to provide examples of the composition of the most common types currently available on the market. (Sources : McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000; Encyclopaedia Britannica, 1999; Van Nostrand's Scientific Encyclopaedia, Eighth Edition, 1995; Australian Industry).
25. The next paragraph of the EN was amended to explain that many accumulators are manufactured to a specific size and shape, e.g., for cellular phones. The reference to "nickel cadmium" in the sentence which mentions accumulators being in small waterproof containers was deleted to broaden the explanation to include all types of accumulators, not only nickel cadmium types.
26. The sentence commencing : "Accumulators are used for supplying current..." was added to provide indicative examples of the common types of articles which use accumulators.
27. The current penultimate paragraph which excludes "spent electric accumulators..." was deleted and added to the exclusions at the end of the EN, together with "terminals". This was done to keep the EN consistent in layout with the EN for heading 85.06. The addition of "terminals" was for the same reasons as for heading 85.06.

Heading 85.09

28. The order of the examples shown at Item (B) was rearranged to reflect the subheading hierarchy, specifically "Kitchen waste disposers". "Ice shavers" was added at (7) as another indicative example of the class of articles that would fall to the heading. These ice shavers are electro-mechanical domestic appliances that comply with Chapter 85 Note 3 (b) and are classified in heading 85.09 on the basis of General Interpretative Rule (GIR) 1. The reference

source was an **Australian** classification ruling. The example was added at (7) because amended examples (4) to (7) are all of the type that would mainly be used in the kitchen.

29. The first paragraph under the heading **“EQUIPMENT PRESENTED WITH THE APPLIANCES OF THIS HEADING”** was amended by moving the word “attachments” to make the sentence easier to read. The reference to “vacuum cleaners with food mixing or grinding attachments;” was deleted because a specific example of such an article could not be found nor contemplated.

Heading 85.11

30. Item (E), “Ignition coils”, was amended to include an explanation of distributor-less ignition systems. The explanation was drawn from the following publications :

McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000;
Gasoline-Engine Management, 1st Edition, Bosch;
Modern Automotive Technology, James E. Duffy.

31. The following were added to the exclusions at the end of the EN :
- new exclusion (d) “Engine immobilisers”. These apparatus function as a switch to prevent the engine from being started. They would be classified in heading 85.36 vide Section XVI Note 2(a);
 - new exclusion (e) “Electronic ignition control modules”. These automatically regulate the ignition operations of an engine and are classified in heading 90.32. They are excluded from Section XVI by Note 1(m) and comply with Chapter 90 Note 6. The reference source was an **Australian** classification ruling.
32. No other changes are recommended. Advice from industry was that the current EN is satisfactory.

Heading 85.12

33. The order of the examples commencing at item (1) was amended to align with the subheading hierarchy.
34. New item (9) (present item (10)) was amended by the addition of “(of the revolving dome type or the ‘lightbar’ type)” to provide a specific example of the type of “indicators” covered by the Note.
35. New item (11) was added based on Classification Opinion 8512.30/1.
36. New item (12) was added as anti-theft alarms for motor vehicles, which emit visual or audio signals when tripped, are classified in heading 85.12. The ENs, at former items (9) and (13), respectively mention “Other electrical visual signalling apparatus, ...” and “Horns, sirens and other electrical sound signalling appliances.” The visual or audio signals that these anti-theft alarms emit qualify them as substantially similar to the signalling equipment mentioned at former items (9) and (13). The anti-theft alarms are electrical signalling equipment of a kind used for motor vehicles. Heading 85.31 may be considered a viable classification option but the terms of

that heading exclude signalling apparatus of heading 85.12. Classification is in heading 85.12 by application of General Interpretative Rule (GIR) 1. The reference source that provided guidance was [United States Ruling HQ 964661](#).

37. New item (13) (present item (11)) was amended by the addition of “(including reversing alarms ...)”. These are electrical sound signalling appliances that are similar to horns and sirens and are classified in heading 85.12 by application of GIR 1. The reference source was an [Australian](#) classification ruling.
38. New item (14) was added as another example of an electrical sound signalling apparatus classified in heading 85.12. These signal to the driver of a motor vehicle, by sound, the proximity of vehicles or other objects when the driver is reversing the vehicle. Classification is by application of GIR 1. The reference source was an [Australian](#) classification ruling.
39. “Air conditioning machinery ...” was added to the exclusions at the end of the EN, as such apparatus would be classified in heading 84.15 vide Section XVI Note 2(a). It was added because a person attempting to classify air conditioning machinery for a motor vehicle may consider “defrosters and demisters” to be a viable option.
40. No other changes are recommended. Advice from industry was that the current EN is satisfactory.
41. **The Secretariat would draw the Review Sub-Committee’s attention to the fact that in the French version, the wording of current item (10) has been amended slightly to better reflect the English text. Should the Sub-Committee accept [Australia’s](#) proposal, the Secretariat would suggest renumbering current item (10) as (13), so that the present description of visual signalling apparatus precedes the description of sound signalling appliances. The Secretariat leaves it to the Committee to decide this matter.**

Heading 85.13

42. Two sentences at the end of the second paragraph were added as an indication of the types of light sources which typically comprise a portable electric lamp and to direct that such light sources presented separately are classified in their respective headings. The reference to LEDs was included after portable electric lamps using LEDs as light sources were found to be traded on the Internet at www.theledlight.com.
43. The word “inspection” and the term “and the like” were deleted from the last sentence of the third paragraph merely to broaden the exclusion to all lamps that are connected to a fixed installation.
44. New item (3) was added by deleting “pens” from present item (6). These lamps in the shape of pens are quite commonly used and warrant separate mention in the list of examples. It was also considered that they were not a “fancy torch” per se, but a lamp with a compact, functional housing. The reason that they were included at new item (3) was because of the commonality of their use compared with the other examples.

45. Present item (6) was amended to new item (7) and the reference to “pens” deleted for the reasons mentioned in the preceding paragraph. A reference to “lipsticks” was included as an indicative example of a fancy torch. Although they have the shape and appearance of a lipstick container their only function is that of a torch. Classification is by application of GIR 1. The reference source was an **Australian** classification ruling. The addition of “radio” in the following sentence was made for the same reasons.
46. New item (8) was added as a further example of the type of lamp that would be classified to the heading. They are portable, lightweight and have a self-contained source of electricity. These goods are designed to be clipped onto a book that is held in the hand for reading, rather than to be carried in the hand or on the person. Classification is by application of GIR 1. These types of lamps were found to be traded on the Internet at www.lampsplus.com.
47. New item (9) was added as ultraviolet hand lamps would be classified to this heading. The terms of the heading are not limited to those lamps that project visible light, therefore those which project radiation within the ultraviolet region of the electromagnetic spectrum can be classified here by application of GIR 1. These types of lamps were found to be traded on the Internet at www.rockpeddler.com and www.theledlight.com. Other information relating to the uses of ultraviolet lamps was taken from the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000.
48. Portable infra-red lamps may also fall within the heading but were not included in the recommended amendments as such an article could not be specifically identified from research sources and classification of a hypothetical article was not attempted. Other heading considerations for infra-red lamps would be 84.19, 85.16 and possibly 90.18, depending on the relevance of Chapter 90 Note 1(h).
49. The exclusion at the end of the EN was amended by the addition of “laser pointers”. The previous sentence was changed to two subparagraphs (a) and (b). Laser pointers were excluded based on Classification Opinion 9013.20/1.

Heading 85.14

50. The order of items (A), (B), (C), etc., under part (I) were rearranged to reflect the subheading hierarchy.
51. Item (A) was amended by the addition of a new sentence that clarifies the way in which these furnaces operate. This amendment was made on the advice of industry.
52. New item (B), (present item (E)), was slightly amended by the addition of “where the material to be heated serves as the resistor.” This amendment was made for clarification purposes, also on the advice of industry.
53. New item (D) was added to provide another example of a liquid resistance furnace. These are electric furnaces in which heat is achieved by resistance and are classified in heading 85.14 by application of GIR 1. Reference sources were an **Australian** classification ruling for components of these furnaces, McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000 and Encyclopaedia Britannica, 1999.

54. New item (G) (present item (D)) was amended by the addition of “firing ceramics” at the end of the paragraph as a further example of the type of uses for those ovens. This amendment was made on the advice of industry.
55. The paragraph after new item (IJ) (present item (H)) was amended on the advice of industry.
56. New items (5) and (6) were added to expand on the existing examples. They are examples of electric furnaces designed for specific purposes and are classified in heading 85.14 by application of GIR 1. The reference sources were **Australian** classification rulings.

Heading 85.15

57. The first sentence under part (I) was amended by the addition of “, whether portable or fixed.” for clarification purposes.
58. The second paragraph under item (A) was amended to expand on the existing explanation and to provide a distinguishing explanation between brazing and soldering. The reference source was the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000.
59. The first paragraph under item (B) was amended to provide more specific explanation of the operation of resistance welding apparatus. The reference source was also the McGraw-Hill Multimedia Encyclopaedia of Science & Technology, 2000.
60. The exclusions immediately before part (II) were amended by the addition of “fusing presses”. These apparatus, which weld plastic motifs to textiles, are excluded as they are specifically mentioned in the terms of heading 84.51.

Heading 85.16

61. The last paragraph of item (5), under part (A), was amended by the addition of “solar water heaters ...” as an exclusion to heading 84.19. Solar water heaters are mentioned in the 1996 ENs as being included in heading 84.19.
62. Under part (E), items (1), (2), etc., follow the subheading hierarchy, however within this hierarchy the order was rearranged to show examples under common purpose groups, e.g., appliances which would normally be used in the kitchen are grouped together at new items (6) to (14).
63. Examples have been added at new items (6) and (16) to expand on the examples indicative of appliances that fall in the heading because they are commonly traded. They are appliances which supply heat, sourced from electricity, and are designed for specific domestic purposes. In the case of the facial sauna at new item (16), water is vaporised, and it is the vapour that penetrates the skin to remove impurities. The facial sauna is classified as an electro-thermic domestic appliance of heading 85.16 rather than a massage apparatus of heading 90.19 as the water is vaporised; the sauna does not massage the skin. Classification is by application of GIR 1. The reference sources were **Australian** classification rulings.

64. The paragraph under PARTS has been amended by the addition of various examples, e.g., “grills for space heaters”. These are articles that are designed for use solely as parts for the goods for which they are intended and are classified in heading 85.16 by application of GIR 1 and Section XVI Note 2(b). The reference sources were Australian classification rulings.

III. CONCLUSION

65. The Sub-Committee is invited to examine the draft amendments to the Explanatory Notes to headings 85.01 to 85.16, as set out in the Annexes to this document, while take into account the comments made by delegates at its last session, as reproduced in Annex III.

* * *

AMENDMENTS TO THE EXPLANATORY NOTES
TO BE MADE BY CORRIGENDUM

CHAPTER 85.

Page 1625. Heading 85.04. Part (I). Third paragraph.

1. Second sentence.

Delete “They vary small types” and substitute “They vary from ballasts for the control of the amount of current that flows through discharge lamps, small types”.

2. New last sentence.

Insert the following new last sentence :

“The heading includes baluns (balancing units) which reduce electro-magnetic interference by balancing the impedance in paired lines.”

Page 1627. Heading 85.04. Part (II). Penultimate paragraph.

Delete and substitute :

“This heading also includes stabilised supplies (rectifiers combined with a regulator), e.g., uninterruptible power supply units for a range of electronic equipment.”

Page 1628. Heading 85.05. Item (3). First sentence.

Delete “worked” and substitute “worked, including for machine-tools”.

Page 1630. Heading 85.06.

1. Second paragraph. Second sentence.

Delete “of zinc or of lithium” and substitute “of zinc, magnesium or of lithium”.

2. Second paragraph. Third sentence.

Delete “dioxide or of iron sulphide” and substitute “dioxide, manganese dioxide or of iron sulphide”.

3. Second paragraph. New fourth sentence.

Insert the following new fourth sentence :

“A nonaqueous electrolyte is used because of the solubility and reactivity of lithium in aqueous solutions.”

4. Third paragraph. First sentence.

Delete “hearing aids, wireless sets, pocket lamps” and substitute “hearing aids, cameras, watches, calculators, heart pacemakers, radios, toys, portable lamps”.

5. Fourth paragraph. Items (1) to (3).

Delete and substitute :

“(1) **Wet cells**, in which the electrolyte is a liquid, and is not restrained from flowing. Wet cells are therefore sensitive to orientation.

(2) **Dry cells**, in which the electrolyte is immobilised in absorbent materials or gels (e.g., mixed with a thickener such as agar-agar or flour to form a paste). The electrolyte used may be liquid but it is restrained from flowing. Dry cells are used mainly for portable devices.

(3) **Inert cells**, or reserve cells or batteries to which water or all or part of the electrolyte must be added before they can be used, or in which the electrolyte must be heated to become ionically conductive.”

6. New fifth paragraph.

Insert the following new fifth paragraph :

“Primary cells and batteries may be manufactured to various shapes and sizes. Common types are those having a cylindrical or button shape.”

7. Penultimate paragraph.

Delete “wet cells” and substitute “wet cells and some inert cells”.

8. Exclusion paragraph.

Delete and substitute :

“This heading does not cover rechargeable cells and batteries, as these are classified in **heading 85.07** as electric accumulators.”

Page 1631.

1. Heading 85.06. Exclusion paragraph. New exclusions (a) and (b).

Insert the following new exclusions (a) and (b) :

“(a) Terminals (**heading 85.36**)

(b) Solar cells (**heading 85.41**)”

Reletter present exclusions (a) to (c) as (c) to (e), respectively.

2. Heading 85.07. First paragraph. First sentence.

Delete and substitute :

“Electric accumulators (storage batteries or secondary batteries) are characterised by the fact that the electrochemical action is reversible so that the accumulator may be recharged. They are used to store electricity and supply it when required.”

3. Heading 85.07. Second paragraph. New last sentence.

Insert the following new last sentence :

“Accumulators may be of the wet or dry cell type.”

Page 1632. Heading 85.07.

1. Item (2).

Delete and substitute :

“(2) **Alkaline accumulators**, in which the electrolyte is usually potassium, or lithium hydroxide or thionyl chloride and the electrodes are, for example :

- (i) Positive electrodes of nickel or nickel compounds and negative electrodes of iron, cadmium or metal hydride;
- (ii) Positive electrodes of lithiated cobalt oxide and negative electrodes of a blend of graphite;
- (iii) Positive electrodes of carbon and negative electrodes of metallic lithium or lithium alloy;
- (v) Positive electrodes of silver oxide and negative electrodes of zinc.”

2. Second paragraph. Last sentence.

Delete and substitute :

“Alkaline accumulators may be of a specific size and shape, so designed to fit the device for which they are the source of electricity. They may be within waterproof containers. Many alkaline accumulators may have the external appearance of primary cells or batteries of heading 85.06.”

3. New third paragraph.

Insert the following new third paragraph :

“Accumulators are used for supplying current for a number of purposes e.g. motor vehicles, golf carts, fork-lift trucks, power hand-tools, cellular telephones, portable computers, portable lamps.”

4. Exclusion paragraph.

Delete present exclusion paragraph.

5. New exclusion paragraph.

Insert the following new exclusion paragraph after "PARTS" :

"The heading **does not cover** :

(a) Terminals (**heading 85.36**).

(b) Spent electric accumulators and waste and scrap thereof (**heading 85.48**)."

Page 1633. Heading 85.09.

1. Item (A). Introductory phrase.

Delete "**articles classified**" and substitute "**articles are classified**".

2. Item (B). Introductory phrase.

Delete "**articles classified**" and substitute "**articles are classified**".

3. Item (B) (3).

Delete "**for potatoes**" and substitute "**for potatoes or other vegetables**".

4. New item (B) (7).

Insert the following new item (B) (7) :

"(7) **Ice shavers.**"

Re-number present items (3), (4), (5), (6), (7) and (8) as (4), (5), (6), (3), (8) and (9), respectively, and move the text of these items accordingly.

Page 1634. Heading 85.09. First paragraph. Second sentence.

Delete "vacuum cleaners with brushing, polishing, insecticide spraying, etc., attachments; vacuum cleaners with food mixing or grinding attachments" and substitute "vacuum cleaners with attachments for brushing, polishing, insecticide spraying, etc.".

Page 1637. Heading 85.11.

1. Item (E). New second paragraph.

Insert the following new second paragraph :

"In some ignition systems a double-spark ignition coil is connected directly to two sparking plugs and the coil generates an ignition spark in each plug simultaneously, with the spark from one plug producing its cylinder power stroke and the spark from the other plug having no effect on its cylinder because it is on the exhaust stroke. Such systems

do not require a distributor as the ignition coil is connected directly to the sparking plugs. In these systems the coils are energised by an electronic (semiconductor) coil module.”

2. Exclusion paragraph. New exclusions (d) and (e).

Insert the following new exclusions (d) and (e) :

“(d) Engine immobilisers comprised of integrated circuits which perform a switching function to prevent the engine from being started (**heading 85.36**).

(e) Electronic ignition control modules or units which automatically regulate the ignition operations of an engine (generally **heading 90.32**).”

Pages 1638 to 1639. Heading 85.12. Second paragraph.

[1. Item (10).

Delete “indicators for taxis” and substitute “indicators (of the revolving dome type or the “lightbar” type) for taxis”.]

2. Present item (11).

Delete “**appliances**” and substitute “**appliances** (including reversing alarms which are activated when the vehicle’s reverse gear is engaged)”.

3. New items (11) and (12).

Insert the following new items (11) and (12) :

“(11) **Electrical apparatus which emit visual or audio signals** to warn the driver of the presence of a speed detection device operating in the vicinity.

(12) **Anti-theft alarms** which emit visual or audio signals to warn of attempts to break in to a vehicle.”

4. Item (14).

Delete and substitute :

“(14) **Electrical apparatus which emit audio signals** to warn the driver of the proximity of vehicles or other objects behind the vehicle when reversing. These apparatus usually comprise ultrasonic sensors, an electronic control unit, a buzzer or beeper and associated wiring.”

Re-number present items (8), (9), (10), (11), (12) and (13) as (10), (8), (9), (13), (15) and (16), respectively, and move the text of these items accordingly.

Page 1639.

1. Heading 85.12. Exclusion paragraph. New exclusion (b).

Insert the following new exclusion (b) :

“(b) Air conditioning machinery or apparatus (**heading 84.15**).”

Reletter present exclusions (b) to (f) as (c) to (g), respectively.

2. Heading 85.13. Second paragraph. New two last sentences.

Insert the following new two last sentences :

“The light source is either a filament or discharge lamp (globe, bulb, tube or the like), an ultra-violet lamp, or light emitting diodes (LEDs). These are excluded from the heading when presented separately (**heading 85.39**, or in the case of LEDs, **heading 85.41**).”

3. Heading 85.13. Third paragraph. Last sentence.

Delete “and inspection lamps and the like which are connected” and substitute “and lamps which are connected”.

Page 1640. Heading 85.13.

1. New item (3).

Insert the following new item (3) :

“(3) **Lamps, torches or flashlights** in the shape of pens, often fitted with a clip for securing the lamp to the user’s pocket when not in use.”

2. Item (6).

a) Delete “pistols, pens, etc.” and substitute “pistols, lipsticks, etc.”.

b) Delete “key ring, etc.” and substitute “key ring, radio, etc.”.

Renumber present items (3) to (6) as (4) to (7), respectively.

3. New items (8) and (9).

Insert the following new items (8) and (9) :

“(8) **Reading lamps** fitted with a clip or the like for attachment to a book or magazine.

(9) **Ultraviolet hand lamps**. Uses for these lamps include inspecting machine parts for flaws, examining precious or semi-precious stones or detecting markings which are not normally invisible to the naked eye.”

4. Exclusion paragraph.

Delete and substitute :

“The heading **excludes** :

- (a) Photographic flash-light apparatus (**heading 90.06**).
- (b) Laser pointers incorporating a laser diode (**heading 90.13**).”

Pages 1641 to 1642. Heading 85.14. Part (I). Second paragraph.

1. Item (A). New last sentence.

Insert the following new last sentence :

“These heating elements (resistors) transfer heat to the stock or charge by radiation and convection.”

2. Present item (D). Last sentence.

Delete “of plastics, etc.” and substitute “of plastics, firing ceramics, etc.”.

3. New item (D).

Insert the following new item (D) :

“(D) **Electrolytic furnaces for smelting or refining metals.** These are also liquid resistance furnaces fitted with electrodes immersed in a molten bath electrolyte. The bath contains the metal bearing constituent of the ore dissolved in a molten salt. Electrolytic dissociation which is caused by the passage of electricity through the electrolyte via the electrodes results in pure molten metal collecting at the cathode while a gas is given off at the anode.”

4. Item (E).

Delete “**materials**” and substitute “**materials** where the material to be heated serves as the resistor”.

Reletter present items (B), (C), (D), (E), (F), (G) and (H) as (E), (F), (G), (B), (C), (H) and (I), respectively, and move the text of these items accordingly.

Page 1642. Heading 85.14. Part (I).

1. Second paragraph.

Delete and substitute :

“Certain furnaces or ovens use more than one method of heating (e.g., high and low frequency induction or resistance for melting and heating metals, etc.; infra-red and high frequency biscuit baking ovens; infra-red, resistance and dielectric capacitance (microwave) ovens for heating objects).”

2. Third paragraph. New items (5) and (6).

Insert the following new items (5) and (6) :

“(5) Furnaces or ovens for annealing or tempering glass.

(6) Furnaces for manufacturing semiconductor wafers.”

Page 1644. Heading 85.15. Part (I).

1. First paragraph. First sentence.

Delete “apparatus” and substitute “apparatus, whether portable or fixed”.

2. Item (A). Second paragraph. New three last sentences.

Insert the following new three last sentences :

“The filler metal is usually distributed between the surfaces of the joint by capillary attraction. Brazing can be distinguished from soldering by the melting point temperature of filler metals used. In brazing it is generally above 450 degrees Celsius (842 degrees Fahrenheit), whereas in soldering the melting point is achieved at a lower temperature.”

3. Item (B). First paragraph.

Delete and substitute :

“The heat required for forming welded joints is produced by the resistance to the flow of an electric current through the parts to be joined (Joule heat). During welding the parts are held together under pressure and fluxes or filler metals are not used.”

Page 1646. Heading 85.15. Part (I). Exclusion paragraph. New exclusion (b).

Insert the following new exclusion (b) :

“(b) Fusing presses (**heading 84.51**).”

Reletter present exclusions (b) and (c) as (c) and (d), respectively.

Page 1647. Heading 85.16. Part (A). Item (5). Second paragraph. New last sentence.

Insert the following new last sentence :

“Solar water heaters are also classified in heading 84.19.”

Page 1649. Heading 85.16. Part (E). New items (6) and (16).

Insert the following new items (6) and (16) :

“(6) Crepe makers.”

“(16) Facial saunas incorporating a face mask in which water is vaporised for facial skin treatment.”

Renumber present items (6), (11), (12), (13), (14), (15), (16), (17) and (18) as (20), (15), (17), (18), (19), (11), (12), (13) and (14), respectively, and move the text of these items accordingly.

Page 1650. Heading 85.16. PARTS. New last sentence.

Insert the following new last sentence :

“These include : grills for space heaters; moulded plastic casings for hand held hair dryers; moulded plastic or ceramic bodies for jugs.”

* * *

AMENDMENTS TO THE EXPLANATORY NOTES
TO BE MADE BY CORRIGENDUM

CHAPTER 85.

Page 1625. Heading 85.04. Part (I). Third paragraph.

The heading covers all transformers. They vary from ballasts for the control of the amount of current that flows through discharge lamps, small types used in wireless sets, instruments, toys, etc., to large types enclosed in oil tanks or equipped with radiators, fans, etc., for cooling purposes. The large types are used in electricity stations, stations for interconnecting mains, distributing stations or sub-stations. The frequency may vary from mains frequencies up to very high radio frequencies. The heading includes baluns (balancing units) which reduce electro-magnetic interference by balancing the impedance in paired lines.

Page 1627. Heading 85.04. Part (II). Penultimate paragraph.

This heading also includes stabilised supplies (rectifiers combined with a regulator), e.g., uninterruptible power supply units for machines of heading 84.71 a range of electronic equipment.

Page 1628. Heading 85.05. Item (3). First sentence.

These are mainly devices of various types in which magnets are used to hold work pieces in place while they are being worked, including for machine-tools.

Page 1630. Heading 85.06.

These generate electrical energy by means of chemical reactions.

A primary cell consists basically of a container holding an alkaline or a non-alkaline electrolyte (e.g., potassium or sodium hydroxide, ammonium chloride or a mixture of lithium chloride, ammonium chloride, zinc chloride and water) in which two electrodes are immersed. The anode is generally of zinc, magnesium or of lithium and the cathode (depolarising electrode) is, for example, of manganese dioxide (mixed with carbon powder), of mercuric oxide or of silver oxide. In lithium primary cells, the anode is of lithium and the cathode is, for example, of thionyl chloride, of sulphur dioxide, manganese dioxide or of iron sulphide. A nonaqueous electrolyte is used because of the solubility and reactivity of lithium in aqueous solutions. In air-zinc primary cells, an alkaline or neutral electrolyte is generally used. The zinc is used as the anode, oxygen diffuses into the cell and is used as the cathode. Each electrode is provided with a terminal or other arrangement for connection to an external circuit.

Primary cells are used for supplying current for a number of purposes (for bells, telephones, hearing aids, cameras, watches, calculators, heart pacemakers, radios, toys, wireless sets, pocket portable lamps, electric prods for cattle, etc.). Cells may be grouped together in batteries, either in series or in parallel or a combination of both. Cells and batteries remain classified here irrespective of the use for which they are intended (e.g., standard cells for laboratory work producing a constant known voltage fall in the heading).

The various types of cells include :

- (1) **Wet cells**, in which the electrolyte is a liquid, and is not restrained from flowing. Wet cells are therefore sensitive to orientation.
- (2) **Dry cells**, in which the electrolyte is immobilised in absorbent materials or gels (e.g., mixed with a thickener such as agar-agar or flour to form a paste). The electrolyte used may be liquid but it is restrained from flowing. Dry cells are used mainly for portable devices.
- (3) **Inert cells, or reserve cells or batteries** to which water or all or part of the electrolyte must be added before they can be used, or in which the electrolyte must be heated to become ionically conductive.
- (4) **Concentration cells**, the electrolyte being at a different degree of concentration at each electrode.

Primary cells and batteries may be manufactured to various shapes and sizes. Common types are those having a cylindrical or button shape.

Certain cells (e.g., wet cells and some inert cells) are usually presented without their electrolyte, but remain classified here.

This heading **does not cover** rechargeable cells and batteries, ~~as whose upper terminal is usually a perforated brass cap;~~ these are classified in **heading 85.07** as electric accumulators.

Page 1631.

1. Heading 85.06. Exclusion paragraph. New exclusions (a) and (b).

(a) Terminals (heading 85.36)

(b) Solar cells (heading 85.41)

2. Heading 85.07. First two paragraphs.

Electric accumulators (storage batteries or secondary batteries) are characterised by the fact that the electrochemical action is reversible so that the accumulator may be recharged. They are used to store electricity and supply it when required. A direct current is passed through the accumulator producing certain chemical changes (charging); when the terminals of the accumulator are subsequently connected to an external circuit these chemical changes reverse and produce a direct current in the external circuit (discharging). This cycle of operations, charging and discharging, can be repeated for the life of the accumulator.

Accumulators consist essentially of a container holding the electrolyte in which are immersed two electrodes fitted with terminals for connection to an external circuit. In many cases the container may be subdivided, each subdivision (cell) being an accumulator in itself; these cells are usually connected together in series to produce a higher voltage. A number of cells so connected is called a battery. A number of accumulators may also be assembled in a larger container. Accumulators may be of the wet or dry cell type.

Page 1632. Heading 85.07.

(2) **Alkaline accumulators**, in which the electrolyte is usually potassium, or lithium hydroxide or thionyl chloride and the electrodes are, either for example :

- (i) Positive electrodes of nickel or nickel compounds and negative electrodes of iron, cadmium or metal hydride;
- or (ii) Positive electrodes of lithiated cobalt oxide and negative electrodes of a blend of graphite;
- (iii) Positive electrodes of carbon and negative electrodes of metallic lithium or lithium alloy;
- (viii) Positive electrodes of ~~nickel or nickel compounds~~ silver oxide and negative electrodes of zinc cadmium.

The electrodes may consist of simple plates, grids, rods, etc., or of grids or tubes covered or filled with a special paste of the active material. The containers for lead-acid accumulators are usually made of glass or, in the case of car batteries, are moulded from plastic, hard rubber or composition material. In big stationary accumulators, glass or lead lined, plastic or wood boxes are used, while containers for alkaline accumulators are usually of steel or plastics. ~~Certain nickel-cadmium accumulators are contained in small waterproof containers and have the external appearance of dry batteries of heading 85.06.~~ Alkaline accumulators may be of a specific size and shape, so designed to fit the device for which they are the source of electricity. They may be within waterproof containers. Many alkaline accumulators may have the external appearance of primary cells or batteries of heading 85.06.

Accumulators are used for supplying current for a number of purposes e.g. motor vehicles, golf carts, fork-lift trucks, power hand-tools, cellular telephones, portable computers, portable lamps.

Some lead-acid accumulators are fitted with a hydrometer, which measures the specific gravity of the electrolyte and so indicates roughly the degree of charge of the accumulator.

Electric accumulators remain classified here even if presented without their electrolyte.

~~This heading does not cover spent electric accumulators and waste and scrap thereof; these are classified in heading 85.48.~~

PARTS

Subject to the general provisions regarding the classification of parts (see the General Explanatory Note to Section XVI), the heading also covers parts of accumulators, e.g., containers and covers; lead plates and grids, whether or not coated with paste; separators of any material (except of unhardened vulcanised rubber or of textile material), including those in the form of flat plates merely cut into rectangles (including squares), meeting very precise technical specifications (porosity, dimensions, etc.) and hence ready for use.

The heading does not cover :

- (a) Terminals (heading 85.36).

(b) Spent electric accumulators and waste and scrap thereof (heading 85.48).

Page 1633. Heading 85.09.

1. Item (A). Introductory phrase.

(A) **A limited class of articles are classified here irrespective of their weight.**

2. Item (B). Introductory phrase.

(B) **A non-limited class of articles are classified in this heading provided their weight is 20 kg or less.**

This group includes, *inter alia* :

(1) **Floor scrubbing, scraping or scouring appliances, and appliances for sucking up dirty water or soap suds after scrubbing.**

(2) **Appliances for spraying polish on to floors** before polishing. These are usually fitted with heating elements to liquefy the wax.

(~~36~~) **Kitchen waste disposers.** These devices are designed to be attached to the kitchen sink and are used to grind kitchen waste.

(~~43~~) **Peelers, chippers, cutters, etc., for potatoes or other vegetables.**

(~~54~~) **Slicers of all kinds** (e.g., for meat, sausages, bacon, cheese, bread, fruit or vegetables).

(~~65~~) **Knife sharpeners and cleaners.**

(7) **Ice shavers.**

(~~87~~) **Electric tooth brushes.**

(~~98~~) **Air humidifiers and dehumidifiers.**

Page 1634. Heading 85.09. First paragraph. Second sentence.

For example, vacuum cleaners with attachments for brushing, polishing, insecticide spraying, etc.; ~~attachments; vacuum cleaners with food mixing or grinding attachments;~~ food mixers which can be used for cutting, grinding, whipping, mincing, etc.; slicers with honing and sharpening devices; floor scrubbers with a polishing brush set; scrubbers with a soap feeder and suction device for removing dirty water or soap suds.

Page 1637. Heading 85.11.

1. Item (E).

(E) **Ignition coils.**

These consist of specially modified induction coils, usually in a cylindrical container. By connecting the primary via an interrupter to the battery, a high voltage is produced in the secondary and is led to the sparking plugs via a distributor.

In some ignition systems a double-spark ignition coil is connected directly to two sparking plugs and the coil generates an ignition spark in each plug simultaneously, with the spark from one plug producing its cylinder power stroke and the spark from the other plug having no effect on its cylinder because it is on the exhaust stroke. Such systems do not require a distributor as the ignition coil is connected directly to the sparking plugs. In these systems the coils are energised by an electronic (semiconductor) coil module.

2. Exclusion paragraph. New exclusions (d) and (e).

(d) Engine immobilisers comprised of integrated circuits which perform a switching function to prevent the engine from being started (heading 85.36).

(e) Electronic ignition control modules or units which automatically regulate the ignition operations of an engine (generally heading 90.32).

Pages 1638 to 1639. Heading 85.12. Items (8) to (14).

(89) Luminous overtaking signals, transmitting to the driver automatically (sometimes by means of a photoelectric cell) a signal indicating the presence of an overtaking vehicle.

[(94) Other electrical visual signalling apparatus, e.g., illuminated triangles for vehicles with trailers; illuminated indicators (of the revolving dome type or the "lightbar" type) for taxis, police vehicles, fire engines, etc.]

(108) Parking equipment operated by means of external feelers, which, when they touch the curb or other object, cause a light or other signal to warn the driver.

(11) Electrical apparatus which emit visual or audio signals to warn the driver of the presence of a speed detection device operating in the vicinity.

(12) Anti-theft alarms which emit visual or audio signals to warn of attempts to break in to a vehicle.

(134) Horns, sirens and other electrical sound signalling appliances (including reversing alarms which are activated when the vehicle's reverse gear is engaged).

(14) Electrical apparatus which emit audio signals to warn the driver of the proximity of vehicles or other objects behind the vehicle when reversing. These apparatus usually comprise ultrasonic sensors, an electronic control unit, a buzzer or beeper and associated wiring.

(14) Electrical apparatus of a kind used in a motor vehicle to warn the driver, by visual or audio signals, that a speed detection device, such as a radar gun or a laser gun, is operating in the vicinity.

(154) Windscreen wipers, including dual windscreen wipers, driven by an electric motor.

~~(1613)~~ **Defrosters and demisters.** These consist of a resistance wire mounted in a frame for fitting to the windscreen.

Page 1639.

1. Heading 85.12. Exclusion paragraph. New exclusion (b).

(b) Air conditioning machinery or apparatus (heading 84.15).

2. Heading 85.13. Second paragraph.

They comprise two elements (i.e., the lamp proper and the source of electricity) which are usually mounted and directly connected together, often in a single case. In some types, however, these elements are separate and are connected by wires. The light source is either a filament or discharge lamp (globe, bulb, tube or the like), an ultra-violet lamp, or light emitting diodes (LEDs). These are excluded from the heading when presented separately (heading 85.39, or in the case of LEDs, heading 85.41).

3. Heading 85.13. Third paragraph. Last sentence.

The term therefore **excludes** lighting equipment for motor vehicles or cycles (**heading 85.12**), and inspection lamps and the like which are connected to a fixed installation (**heading 94.05**).

Page 1640. Heading 85.13.

1. New item (3).

(3) **Lamps, torches or flashlights** in the shape of pens, often fitted with a clip for securing the lamp to the user's pocket when not in use.

2. Item (6).

(76) **Fancy torches** in the shape of pistols, pens, lipsticks, etc. Composite articles composed of a lamp or torch and a pen, screwdriver, key ring, radio, etc., remain classified here **only** if the main function of the whole is the provision of light.

3. New items (8) and (9).

(8) **Reading lamps** fitted with a clip or the like for attachment to a book or magazine.

(9) **Ultraviolet hand lamps.** Uses for these lamps include inspecting machine parts for flaws, examining precious or semi-precious stones or detecting markings which are not normally invisible to the naked eye.

4. Exclusion paragraph.

The heading **excludes** :

(a) ~~The heading does not cover p~~Photographic flash-light apparatus (**heading 90.06**).

(b) Laser pointers incorporating a laser diode (**heading 90.13**).

Pages 1641 to 1642. Heading 85.14. Part (I). Second paragraph.

The furnaces and ovens covered by this group include, *inter alia* :

- (A) **Resistance heated furnaces and ovens** in which the heat is produced by the passage of a current through heating resistors. These heating elements (resistors) transfer heat to the stock or charge by radiation and convection.
- (BE) **Resistance furnaces for heating bars of metal or granular materials** where the material to be heated serves as the resistor. These consist of a container in which current is passed through the material itself; the electrical resistance of the material produces the necessary heat.
- (CF) **Liquid resistance furnaces** consisting of baths furnished with electrodes. In operation the bath contains molten metal, molten salts or special oil, maintained at the required temperature by the passage of electricity, via the electrodes, through the liquid; the object is heated by being plunged in the bath of liquid.
- (D) **Electrolytic furnaces for smelting or refining metals.** These are also liquid resistance furnaces fitted with electrodes immersed in a molten bath electrolyte. The bath contains the metal bearing constituent of the ore dissolved in a molten salt. Electrolytic dissociation which is caused by the passage of electricity through the electrolyte via the electrodes results in pure molten metal collecting at the cathode while a gas is given off at the anode.
- (EB) **Low frequency induction furnaces.** Low frequency AC in a primary coil is linked magnetically by a soft iron core with the charge to be heated, and induces current in that charge thus causing it to be heated. In certain furnaces of this type, the molten charge circulates from the main crucible through vertical looped piping in which the heating currents are induced from the primary circuit.
- (EG) **High frequency induction furnaces.** An AC of high frequency (often of radio frequency) in the primary coil induces eddy currents in the charge to be heated. This type of furnace has no iron core.
- (GD) **Dielectric capacitance furnaces and ovens.** The charge, which must be electrically non-conducting, is placed between two metal plates connected to a source of AC. In effect the arrangement operates as a capacitor, and dielectric loss in the charge causes heat to be developed within it. This group includes industrial microwave ovens, in which dielectric products to be heated are subjected to the action of electromagnetic waves. By dielectric loss, the energy from the waves is converted simultaneously into heat throughout the mass of the product, ensuring very uniform heating. These ovens are used for drying, defrosting, moulding of plastics, firing ceramics, etc.
- (HG) **Arc furnaces** in which the heat is generated by an electric arc, struck between electrodes or between an electrode and the charge to be heated. These furnaces are used for the production of pig iron, various ferro-alloys, calcium carbide, for reducing iron ore, for the fixation of nitrogen from the air, etc. Certain low temperature arc furnaces are also used for distilling materials of relatively low boiling point (e.g., zinc or phosphorus); if, however, they are equipped with condensers to collect the distillate, the whole is **excluded (heading 84.19)**.

(I,JH) **Infra-red radiation ovens** heated by a number of infra-red lamps or radiation plates.

Page 1642. Heading 85.14. Part (I).

1. Second paragraph.

Certain furnaces or ovens use more than one method of heating combine two methods of heating (e.g., a combination of high and low frequency induction or resistance for melting and heating metals, etc.; infra-red and high frequency biscuit baking ovens; infra-red, resistance and dielectric capacitance (microwave) ovens for heating objects).

2. Third paragraph. New items (5) and (6).

(5) Furnaces or ovens for annealing or tempering glass.

(6) Furnaces for manufacturing semiconductor wafers.

Page 1644. Heading 85.15. Part (I).

1. First paragraph.

This group covers certain soldering, brazing or welding machines and apparatus, whether portable or fixed. They are also classified here when they are capable of cutting.

2. Item (A). Second paragraph.

Brazing and soldering are operations in which metal parts are joined by means of a filler metal with a lower melting point that wets the parent metal(s). The parent metal(s) does (do) not participate by fusion in making the joint. The filler metal is usually distributed between the surfaces of the joint by capillary attraction. Brazing can be distinguished from soldering by the melting point temperature of filler metals used. In brazing it is generally above 450 degrees Celsius (842 degrees Fahrenheit), whereas in soldering the melting point is achieved at a lower temperature.

3. Item (B). First paragraph.

The heat required for forming welded joints is produced by the resistance to the flow of an electric current passing an electric current through the parts to be joined (Joule heat). During welding the parts are held together under pressure and fluxes or filler metals are not used.

Page 1646. Heading 85.15. Part (I). Exclusion paragraph. New exclusion (b).

(b) Fusing presses (heading 84.51).

Page 1647. Heading 85.16. Part (A). Item (5). Second paragraph.

They have a reinforced protective sheath which is highly resistant to mechanical stress and to seepage from liquids, semi-fluid (other than solid) substances and gases. A powder

(usually magnesium oxide) with good dielectric and thermal properties holds the wire resistor (resistance) in place within the sheath and insulates it electrically. Solar water heaters are also classified in heading 84.19.

Page 1649. Heading 85.16. Part (E). Items (6) to (18).

(6) Crepe makers.

(7) Waffle irons.

(8) Plate warmers and food warmers.

(9) Sauté pans and chip pans (deep fryers).

(10) Coffee roasting appliances.

~~(1145)~~ Bottle heaters.

~~(1246)~~ Yogurt and cheese makers.

~~(1347)~~ Sterilising apparatus for preparing preserves.

~~(1448)~~ Popcorn cookers.

~~(1544)~~ Face dryers and the like.

(16) Facial saunas incorporating a face mask in which water is vaporised for facial skin treatment.

~~(1742)~~ Towel airers and heated towel rails.

~~(1843)~~ Bed warmers.

~~(1944)~~ Perfume or incense heaters, and heaters for diffusing insecticides.

~~(206)~~ Non-mechanical wash boilers.

Page 1650. Heading 85.16. PARTS.

Subject to the general provisions regarding the classification of parts (see the General Explanatory Note to Section XVI), parts of the goods of this heading are also classified here. These include : grills for space heaters; moulded plastic casings for hand held hair dryers; moulded plastic or ceramic bodies for jugs.

* * *

OBSERVATIONS OF THE REVIEW SUB-COMMITTEE

Heading 85.04.

Page 1627. Heading 85.04. Part (II). Penultimate paragraph.

UK

- Wanted to maintain the reference to “machines of heading 84.71”.

Heading 85.05.

Page 1628. Heading 85.05. Item (3). First sentence.

Canada

- Referring to the Secretariat’s comment in paragraph 15 of Doc. NR0305E1, the Canadian Delegate felt that this point could remain on the Sub-Committee’s agenda until at least its next meeting, as the HSC may resolve the issue at its November meeting.

Heading 85.06.

Page 1631. Heading 85.06. Exclusion (a).

Switzerland

- Suggested the addition of the words “cosse, borne et barettes” in the French text after the word “(terminaux)”.

Heading 85.07.

Page 1632. Heading 85.07. Exclusion (a).

Switzerland

- Suggested the addition of the words “cosse, borne et barettes” in the French text after the word “(terminaux)”.

Page 1632. Heading 85.07. Paragraph 2.

US

- Questioned whether it was really necessary to have a reference to “a specific size and shape” when referring to alkaline accumulators.

Heading 85.09.

Page 1633. Heading 85.09. New item (B) (7).

EC

- Asked for additional information on “ice shavers”.

Heading 85.11.

Page 1637. Heading 85.11. New exclusion (e).

EC

- Had some doubts about the reference to the classification of these “electronic ignition control modules or units” in heading 90.32 and felt that the exclusion reference should read “(generally heading 85.36 or heading 90.32)”.

Canada

- Had concerns with both new exclusions (d) and (e).

Heading 85.12.

Page 1638. Heading 85.12. New item (11).

EC

- Used for radar detection and this is banned in many countries. Consequently, questioned the need to put it in the Explanatory Notes.

UK

- Based on the “Whistler 1120”, item (14) on the same page already covers speed detection devices. Therefore, it was a duplication.

Heading 85.13.

Page 1639. Heading 85.13.

EC

- Heading 85.13 includes only lamps producing “visible light”. “Laser light” and “ultraviolet light” are visible light. Drew the attention of the Sub-Committee to the fact that the Committee classified laser pointers in heading 90.13.
- Light emitting diodes (LEDs) are classified in heading 85.13 only when they constitute single units. Multiple diodes in a single housing, or LEDs with series resistors, might fall to be classified in heading 85.43.

Page 1640. Heading 85.13. First paragraph. New item (3).

Switzerland

- Indicated that the wording in French concerning “clip” was clumsy.

Page 1640. Heading 85.13. Present item (6), renumbered as item (7).

EC

- Suggested deleting the example of a lamp or torch and a radio as it could be misinterpreted and have the potential of overwhelming the concept of “principal function”.

US

- There is a misalignment of text. In the last line of the English, it reads “main function”, while the French reads “principal function”. The English should be aligned on the French.

Page 1640. Heading 85.13. New item (9).

Chairperson

- Alignment needed between the English and French text concerning the phrase “not normally [in]visible to the naked eye”.

Heading 85.16.

Page 1649. Part (E). Item (16).

UK

- Suggested the addition of a reference to “home sauna apparatus” in the Explanatory Notes because of the significant volume of trade (refer to CO 8516.79/1).
